

1 STEPHEN W. CUSICK (111353)

2 scusick@nielsenhaley.com

3 THOMAS H. NIENOW (136454)

4 tnienow@nielsenhaley.com

5 NIELSEN, HALEY & ABBOTT LLP

6 44 Montgomery Street, Suite 750

7 San Francisco, California 94104

8 Telephone: (415) 693-0900

9 Facsimile: (415) 693-9674

10 Attorneys for plaintiff and counterdefendant

11 TOWER INSURANCE COMPANY OF NEW YORK

12 dba TOWER SELECT INSURANCE COMPANY,

13

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO/OAKLAND DIVISION

17 TOWER INSURANCE COMPANY OF  
18 NEW YORK, *a New York corporation dba*  
19 TOWER SELECT INSURANCE  
20 COMPANY,

21 Plaintiff,

22 v.

23 CAPURRO ENTERPRISES, INC., *a*  
24 *California corporation*; NICHOLAS L.  
25 CAPURRO, JR., *an individual*; and CERTA  
26 PROPAINTERS, LTD., *a Massachusetts*  
27 *corporation*,

28 Defendants.

29 AND RELATED COUNTERCLAIMS.

No. 3:11-CV-03806-SI

STIPULATION TO EXTEND TIME FOR  
EXPERT DESIGNATION; [PROPOSED]  
ORDER

Complaint filed August 2, 2011

Courtroom 10

HONORABLE SUSAN ILLSTON

26 WHEREAS, the date set to designate experts in this action was July 27, 2012, and has  
27 been extended once to August 10, 2012, by stipulation and order;

28 WHEREAS, Tower Ins. Co. of New York, Capurro Enterprises and Nicholas

1 L. Capurro, Jr. (collectively, the "Parties"), stipulate to extend the date by which each may  
2 designate their experts by an additional two weeks through August 24, 2012;

3 WHEREAS, the Parties request an order granting the additional two-week extension  
4 pursuant to Local Rule 6-2:

5 (a) Reason for requested extension: to accommodate the summer schedules of the  
6 experts and attorneys, and allow time for the required written report to be  
7 prepared.

8 (b) Previous time extension: one by stipulation, of two weeks.

9 (c) Effect of additional two-week extension on schedule of the case: none.

10  
11 IT IS HEREBY STIPULATED by and between the Parties, through their respective counsel  
12 of record, that expert designations may be made through August 24, 2012.

13

14

NIELSEN, HALEY & ABBOTT LLP

15

16

Dated: August 6, 2012

By: 

Stephen W. Cusick

Attorneys for plaintiff and counterdefendant  
TOWER INSURANCE COMPANY OF NEW YORK  
dba TOWER SELECT INSURANCE COMPANY,  
and counterdefendant TOWER GROUP, INC.

ADLESON, HESS & KELLY, APC

17

18

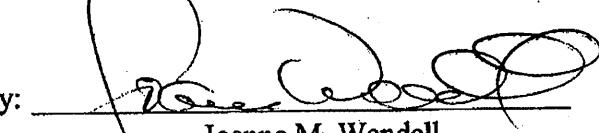
19

20

21

22

Dated: August 6, 2012

By: 

Joanne M. Wendell

Attorneys for Defendants and Counter-  
Claimants

CAPURRO ENTERPRISES, INC., and NICHOLAS  
L. CAPURRO, JR.

23

24

25

26

27

28

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
2  
3  
4  
5  
6 Dated: 8/19/12  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*Susan Illston*

UNITED STATES DISTRICT JUDGE

1                   **PROOF OF SERVICE**

2                   I declare that:

3                   I am a citizen of the United States, employed in the County of San Francisco. I am over  
4                   the age of eighteen years, and not a party to the within cause. My business address is  
5                   44 Montgomery Street, Suite 750, San Francisco, California 94104. On the date set forth below I  
6                   served the following document(s) described as:

7                   **STIPULATION TO EXTEND TIME FOR EXPERT DESIGNATION;  
8                   [PROPOSED] ORDER**

9                   [ ] (BY FACSIMILE) by transmitting via facsimile the document(s) listed above to the  
fax number(s) set forth below, or as stated on the attached service list, on this date.

10                  [ ] (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in  
11                  the United States mail at San Francisco, California.

12                  [ ] (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand this date  
to the offices of the addressee(s).

13                  [ ] (BY OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered to an  
14                  overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it  
is to be served.

15                  [ XX ] (BY CM/ECF ELECTRONIC DELIVERY) In accordance with the registered case  
16                  participants and in accordance with the procedures set forth at the Court's website  
www.ecf.cacd.uscourts.gov.

17                  **Attorneys for Capurro Enterprises, Inc. a California Corporation**

18                  Randy M. Hess, Esq.

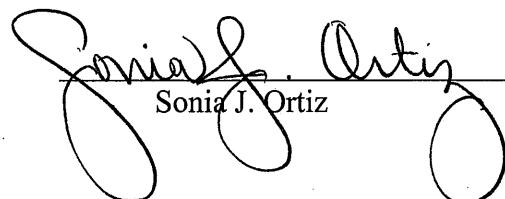
19                  Adleson, Hess & Kelly, APC

577 Salmar Ave., Second Floor

20                  Campbell, CA 95008

Telephone: (408) 341-0234

22                  I declare under penalty of perjury that the foregoing is true and correct and that this  
23                  declaration was executed on August 8, 2012, at San Francisco, California.

24                    
25                  Sonia J. Ortiz  
26  
27  
28